

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

RAYMOND A. CLARK,

Plaintiff,

VS.

CHARLES TRAUGHER, ET AL.,

Defendants.

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No. 04-1174-T/An

ORDER DENYING MOTIONS TO SUPPLEMENT RECORD

On February 13, 2006, plaintiff filed a motion seeking to include as additional exhibits in support of his pending motion for summary judgment certain documents pertaining to alleged racial discrimination in clemency decisions. On February 21, 2006, plaintiff filed a motion seeking leave to include documents concerning his recent application for clemency. On February 22, 2006, plaintiff filed a fifth affidavit in support of his summary judgment motion, which included additional material concerning his clemency application. On March, 2, 2006, plaintiff filed yet a sixth affidavit containing still other materials concerning his clemency application.

The documents submitted by the plaintiff are not relevant to the pending summary judgment motion. This case concerns the denial of the plaintiff's application for parole in 2004. The summary judgment motion filed by the plaintiff raises the issues whether Tennessee prisoners have a liberty interest in parole and, if so, whether the plaintiff's right

to due process was violated during consideration of his application.¹

Plaintiff's motions (dkt. #48, #50) are DENIED.

IT IS SO ORDERED.

s/ **James D. Todd**
JAMES D. TODD
UNITED STATES DISTRICT JUDGE

¹ In a separate order, the Court has granted plaintiff's motion to amend his complaint to add a claim of racial discrimination. However, defendants have not had the opportunity to respond to that amended pleading, and they have no right to file any additional response to the summary judgment motion. As it would not be appropriate to address potentially dispositive issues without affording the defendants an opportunity to respond, the racial discrimination claim will not be considered in connection with plaintiff's pending motion for summary judgment.